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**MEMORIAL**  
OF  
**A CONVENTION OF DELEGATES,**  
REPRESENTING  
**THE MERCHANTS AND OTHERS,**  
INTERESTED IN  
**COMMERCE,**  
**ASSEMBLED AT PHILADELPHIA,**

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NOVEMBER 24, 1820.

Read, and referred to the Committee on Manufactures.

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## MEMORIAL.

*The memorial of a convention of delegates representing the merchants, and others, interested in commerce, assembled at Philadelphia, to the Congress of the United States.*

Although much has already been addressed to your honorable body, on the subject of the new tariff, yet, unless it could be said to be entirely exhausted, its pre-eminent importance may well claim still further attention from all who are interested; and may be allowed to constitute a valid excuse for those who venture once more to appear before you in the character of petitioners against its adoption.

Among the great diversity of subjects which, from time to time, have occupied our National Legislature, not one, it is believed, within the whole scope of their proceedings, has ever been agitated, which involves a greater variety of interests, fiscal, moral, and political; which strikes more deeply at the very foundations of all true and enlightened policy; and which, according as it shall be ultimately settled, will be productive of more lasting, more beneficial, or more pernicious consequences. In short, this nation, through its highest public functionaries, is called upon to determine, whether we will plunge still deeper into all those measures of prohibition, and restrictions upon trade; of duties, premiums, and bounties; of stimulants to rear exclusive interests at the national expense; which have contributed, more than any other cause, to bring the greatest commercial and manufacturing empire that the world ever saw, to the very verge of destruction; or, by taking warning in time, and pursuing a different course, achieve for ourselves a far higher degree of national prosperity, than any people, of whom there is any record, have ever before attained. Let it not be said, that we are too much inclined to magnify, beyond their just dimensions, the various objects involved in this inquiry; still less, let it be said, that the injuries or benefits which must necessarily result from the adoption, or the rejection, of the proposed tariff, will not be fully equal, in process of time, to any thing which we have ventured to imagine. If the observation of Dr. Smith has been thought just, that heavy taxes upon necessaries become "a curse, equal to the barrenness of the soil, and the inclemency of the heavens;" let it not be thought extravagant in us to assert, that the additional duties required of you, operating, continually, upon almost all the purchases of every member in the community, altho' a small and insignificant sum, comparatively speaking, in each individual purchase, would amount, in a few years, to a sufficient number of millions, almost entirely to alter the existing relations of soci-

ety, by forcing capital out of those channels in which it is naturally inclined to flow, and alluring it into others, where, but for this legislative process, it never perhaps would have gone. Can this be consonant either to policy or justice? Can such a power be found, either in the constitutions or codes of any free government upon earth, as would authorize the legislature of such government to say to any of the great classes into which society naturally divides itself—"thus far shalt thou go and no farther," in thy fair and honest endeavors to better thy condition? And yet, in what does such a power differ in effect, from that, by the operation of which, any one of these classes may be fostered, cherished, and elevated, at the expense of the rest, until the others, who are forced into this most unnatural state, are so ground down, as to be compelled to abandon the trade, profession, or calling, of their choice? Once admit that Congress *may* use the power of taxing imports *ad libitum*, for any other purpose but that of revenue, and you give them, in reality, the power to say to the citizens of these United States, you must devote yourselves to agriculture, commerce, or manufactures, not as *you* may happen to be inclined, but according to our sovereign will and pleasure. Let it never be forgotten, that the question now about to be determined, is not so much *what may be beneficial to manufacturers*, as, whether government has a right to benefit *them*, to the manifest injury, both of the agricultural and commercial classes? Whether the constitutional provision against taxing exports can be rendered in a great measure nugatory, by diminishing, at pleasure, the value of our exportable commodities, through the instrumentality of a tax upon imports? And, finally, whether the direction and employment of individual capital are matters to be regulated and controlled by individual choice, or by the will of the national legislature.

If it be asked, who are the rightful judges in regard to the expediency and justice of the proposed tariff, it is surely fair to answer, that the *payers*, who constitute a very large majority of the whole nation, are certainly more competent to decide, than the expectant *receivers*, when the only inquiry is, how much of the money of the former shall be paid to the latter, and to what extent it shall be taken, not only without their consent, but in opposition both to their entreaties and remonstrances. This is the plain, unvarnished state of the case; and let sophists and casuists disguise it as they may, still, whenever it is contemplated, unadorned by the embellishments of geographical parties, and divested of the exaggerations of exclusive interests, it will be seen as a case, where, on the one hand, *a certain portion only* of manufacturers, (for very many of them are opposed to it,) are importuning the government to compel all the commercial and agricultural classes to buy their manufactures, at enhanced prices, or to go without; whilst, on the other hand, the sons of commerce and agriculture, almost to a man, are begging that they may not be exposed to any such exaction. It is not a boon, or treasure, already in possession of the government, of which each party is praying to have the exclusive enjoyment, for that would be a mere contest of cupidity, wherein both would be alike selfish and culpa-

ble; but it is a plain, undisguised effort on the part of certain manufacturers, either to coax or alarm our rulers into the ruinous project of coercing the farmers, planters, artisans, and merchants, into giving a much larger portion of their substance than they at present do to these manufacturers; whilst, on the part of agriculture and commerce, it is an arduous struggle to hold fast only what is already theirs, and not to be forced to part with it contrary to their inclinations. Are we, therefore, enemies to the manufacturers? Are we, consequently, (as has often been said,) selfish, unnatural, anti-social, grovelling, and ignorant; alike deaf to the voice of humanity, and to the calls of patriotism? God forbid. But if we have incurred these degrading censures, simply for praying that your Honorable Body will not put it in the power of the manufacturers to make us pay more for all which we must necessarily purchase of them than we do at present, we must still submit to be denounced.

But, lest the mere pecuniary loss in our purchases alone, which we should incur from the proposed addition to the duties upon foreign commodities, should be considered the principal cause of our solicitude, we beg leave to suggest a few other considerations, of far deeper interest, and of still more comprehensive character, that appear to us to forbid the adoption of the proposed measure. If it be a fixed principle, that we are to rely for our revenue chiefly upon a system of duties upon imports, can any thing be more obviously necessary and proper, than that such system should be both uniform and permanent? Can a single instance be cited, from the annals of any nation upon earth, where an augmentation of duties, already high, has been found also to augment the national income? On the contrary, are there not many to be found, wherein a diminution of duty has been immediately followed by an increase of revenue? We beg leave to quote only a few, and we will take them from the history of that country whose commercial regulations and restrictions some of our political economists have so earnestly importuned you to imitate. "Previous to 1744, the East India Company's sales of teas amounted to no more than about 600,000 pounds weight annually, producing a revenue of about 140,000*l.* sterling. In the early part of 1745, an act was passed, by which the tea duties were greatly reduced, and in 1746, the sales amounted to nearly *two millions* of pounds weight, and the revenue to 228,000*l.* But this unanswerable demonstration of the superior advantages resulting to the revenue itself from low duties, was unable to restrain the rapacity of the treasury. In 1748 the duties were again increased; and fluctuated between that epoch and 1784, from 64 to 119 per cent. In the last mentioned year, however, the government, having in vain tried every other means to prevent the smuggling and adulteration of tea, reduced the duty from 119 to 12½ per cent. and the revenue, instead of falling off in the proportion of *one to ten*, owing to the increased consumption, only declined in the proportion of *one to three*. In 1787 the duty on wine and spirits was lowered 50 per cent. but the revenue, notwithstanding, was considerably augmented. The average annual produce of the tax on coffee, for the three years previous to 1808, amounted to



166,000*l.* sterling. In the course of that year the duty was reduced from two shillings to seven pence the cwt. and the average annual produce of the reduced duty for the next three years, instead of being diminished, rose to 195,000*l.*"

These few remarkable facts serve incontestibly to prove more than whole libraries of theoretical reasoning could do, that the financier, who calculates upon raising revenue by duties upon imports, must unavoidably be content to make them moderate, or to lose his object. They also force upon our minds this important question, whether the deficit, which occurred in our revenue last year, and the still greater one which threatens us for the present year, are not both attributable, at least in part, to the very high rates of many of our existing duties?

If the design of the proposed tariff be to force into being certain manufactures which had no previous existence here; or to foster, at the national expense, such as have been found, after sufficient trial, incapable of being otherwise supported; the hope of revenue, from this source, must be abandoned; for it is a physical impossibility that the two projects can be consummated together. If manufactures are to be forced, the Treasury coffers must remain empty for any thing that the tariff can bring into them. On the contrary, if the duty on imports is to augment the revenue, the manufacturing interest must be content to rely upon her own energies, without calling on government to make crutches for her, of both agriculture and commerce, to support that body, which, in the mania of speculation, has been dieted and swelled into an unnatural growth, too unwieldy for her own natural limbs to sustain.

Let us take another view of the subject. If it has become a settled point in our policy, that no justifiable means are to be neglected to render this nation a great naval power, as essential to the Union; as protective of the great and only outlet for all the agricultural products of the immense regions of the west; it is well worthy of inquiry, whether it possibly can be effected by multiplying discouragements to foreign commerce. Can our hardy, magnanimous, and dauntless seamen, whose pursuits have heretofore exposed them to the perils of every ocean; to the vicissitudes of every clime; and injured them to that constant regimen and discipline so well calculated to fit them for all the purposes of nautical life? Can *such men*, with any advantage to our rising navy, be converted into a set of skulking, profligate smugglers, or of sailors confined solely to the coasting trade? Yet, that such must be the inevitable result of either destroying, or much farther injuring, our foreign commerce, is a consummation which appears to us as unavoidable as that death must follow the destruction of all our vital functions. Commerce is to the body politic, what the circulation of the blood is to the body natural. To check either, materially, is to produce disease; and, to augment such check in any great degree, is to destroy the healthful existence of both. Again, is it possible that we shall add much, either to the moral or physical power of this nation, by interposing legislative aids to accelerate the natural increase of that class of citi-

zens, who, from the very nature of most of their occupations, must necessarily be brought up in a way which, to say the least of it, is surely not the most favorable, either to health, to morals, to bodily, or intellectual vigor? Can it be within the scope of any rational anticipation that our manufacturers, one and all, can ever be made successful competitors to those of Sheffield, Birmingham, and Manchester, who, by means of the very system of which some of us are so exceedingly emulous, are forced to labor from fourteen to seventeen hours in the twenty-four, and to live almost exclusively on vegetable diet, in order to earn a miserable pittance of wages, scarcely sufficient to keep body and soul together? Can any, the most sanguine projector, calculate on realizing any such successful rivalry, except at an expense of taxation, of national happiness, and legislative oppression, such as the citizens of the United States will never willingly incur?

In whatever way we view this subject—and we have endeavoured to bestow on it all the consideration which its great importance so justly merits, we cannot avoid anticipating, from the success of the tariff project, irreparable injury, not only to agriculture and commerce, but to many of the mechanic trades immediately connected with, and dependent upon, these two great sources of the wealth and physical power of this nation. Agriculture, already bereft of half her ability to pay taxes, by a combination of circumstances, among which our protecting duty system holds a prominent station, is now called upon to pay a still further tax of some ten, twenty, or thirty per cent. upon almost all her necessary purchases, at a time too, when the existing duties have been more than doubled in value to those who receive the benefit of them, by the appreciation of money, and the depreciation of domestic provisions of every kind—a depreciation, moreover, so continued and portentous, as to threaten to terminate even the culture of several of those products which heretofore have most contributed both to our emolument and to our comforts. What is to be the consequence? Why a rapid and appalling retrogradation throughout the community, compelling us not only to relinquish most of those embellishments of civilized life which polish and adorn the social structure, but also to bid adieu to all the fond hopes which solace the parent and animate the patriot in regard to the progress of education, the improvement of morals, and the general diffusion of national happiness. Commerce, curtailed in all her branches by the same sinister combination of events, is required still further to furl her sails, or to spread them only to the breezes of our bays, our rivers, and our sea-board. Or, if not deterred by the numerous difficulties which present themselves to her customary pursuits, she still essays to spread her canvass over the bosom of those distant seas, from navigating which, she has heretofore hoped to derive a fair and honorable reward for her toils, she is told that a large portion of her now scanty profits must go to foster a new interest in our community, which it has been found, upon trial, cannot be gotten up, without levying still heavier contributions, both on agriculture and commerce.

The numerous artizans too, whose reliance for comfortable support, has hitherto been placed upon the prosperity of agricultural and commercial occupations, must now be transferred to some other less precarious dependance; or their present employments exchanged for hopeless inaction. And what is the inestimable boon held out to us, as a compensation for all these privations? Why, truly, an adequate *home market* for all our domestic products! That this idea is altogether fallacious, we trust can be made manifest by a very few remarks. The manufacturing establishments which it is said will grow out of the tariff, are to be peopled from the population already within the country, or to be supplied by foreign importations. If in the first mode, then it is obvious, that, unless we suppose the intended recruits can live in their present scattered condition, without food altogether, they will not, when embodied, consume so much more additional provision, as to compensate for the great diminution of exports which the new tariff must necessarily occasion. It is only then by the importation of that class of foreigners—the least desirable part, in general, of foreign population, that the number of manufacturing consumers, and consequently the quantum of consumption, can be materially augmented. This is unquestionably true, as to provisions. But it will be said, that our raw materials will then find so much more extensive a market than they have at present, as amply to remunerate us for all additional costs. If it were true that we have no home market at all for our agricultural products, it might become a question with some, whether it would not be worth while to incur a considerable national expense with a view to create one: provided it were probable that the domestic sale of our surplus produce would then be so much greater than the foreign sale extinguished by this creation, as to reimburse those at whose cost it was made, for all additional expenses. But this happens not to be a fact. Your honorable body cannot be ignorant, that our home market for the produce of the soil, especially for cotton, is even now on the increase: that a large portion of our manufacturers claim no farther protection; ask no additional duties: that the stockholders of one of the most considerable and flourishing manufactories in the United States—we mean that of Waltham in Massachusetts, at this time divide twelve per cent. on their capital: and that most others, of any standing, are known to be in a sufficiently flourishing condition to ask no aid from government. The question, then, is simply reduced to this: Shall we impose additional duties upon almost every article of foreign importation, either to gratify the sanguine expectations of those who wish to make trial of such manufactories as do not exist here at present; or to enable those who have failed, no matter from what cause, in manufacturing experiments already made in various parts of our country, to renew them at the expense of more than three-fourths of the nation? Relying, as we do, upon the wisdom and patriotism of our legislature, we cannot, for a moment, believe, that, from the freest government upon earth, we are to expect a system of policy so repugnant to every principle of reason and justice, as would be that, which your honor-



able body has been so importunately urged to adopt. And we confidently trust, that the men to whose intelligence and virtue the American people have entrusted the preservation of their dearest rights and interests, are as deeply impressed, as any of their constituents themselves can possibly be, with the truth and importance of the following cardinal maxims in legislation:

That, if the principles both of justice and policy forbid the majority of a nation to impose any tax on the minority alone, a fortiori, they inhibit the imposition of any tax to be levied upon the former for the sole benefit of the latter.

That, where revenue is to be derived from imposts on foreign commodities, universal experience has demonstrated that moderate duties contribute much more than high ones towards the attainment of this object.

That, where such duties are imposed to foster the particular interest of any class who pay no part thereof, those duties must necessarily come out of the pockets of all the other interests in the community; and are in direct violation of that fundamental maxim—"not to tax the many for the benefit of the few."

That the practice of frequently changing those revenue laws which operate as taxes upon agriculture and commerce have a much more pernicious effect upon both, but especially upon the last, than permanent taxes of the highest kind compatible with the permanent existence of those two great sources of national wealth and power.

That, for government, by legislation, to add to those casualties and uncertainties which naturally affect the profits of labor, is to infringe the natural right which every man has to pursue any trade, profession, or calling, that he pleases; and is to administer oppression, instead of justice.

That, by the exercise of such a power, governments may not only force individual capital into any channel which they please, but may either create or suppress, ad libitum, any particular class among the various ones into which communities are usually divided.

That the reciprocal wants of agriculture, commerce, and manufactures, with their relative capacities of supply, are sure guarantees of mutual good will, and friendly offices, when left to exert their respective energies in their own way; but that the interference of governments with their private concerns rarely fails to produce a jarring of interests, and consequent hostility both of feelings and conduct.

That the natural diversities of soils and climates, and the artificial varieties of manners, habits, and customs, are far better regulators of supply and demand than the wisest legislators can possibly contrive.

That a due proportion of heat, moisture, and the pabulum of plants, will not more certainly produce a vigorous and healthful growth in the vegetable kingdom, than will the natural inclination of mankind, to improve their condition, produce it in the political world, if left to exert itself, entirely free from all legislative restraints, but such as peace, order, justice, and good morals, require.

And that it may be laid down as a maxim admitting of no exception,—that national industry is invigorated by free trade, and depressed by every thing opposed to it.

All which is most respectfully submitted.

WILLIAM BAYARD,

*President of the Convention.*

JOHN VAUGHAN, *Secretary.*

*Philadelphia, Nov. 4, 1820.*